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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,786	06/16/2000	Gerald W. Ingram	023460.00001	1228

7590 08/15/2002

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EXAMINER	
TRAN, PHILIP B	
ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 08/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/594,786	Applicant(s) Ingram Et. Al.
	Examiner Philip B. Tran	Art Unit 2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *three* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *May 31, 2002* .

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *64-126* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *64-126* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 91, 102, 111, and 120 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gennaro et al (Hereafter, Gennaro), U.S. Pat. No. 5,742,768.

Regarding claim 91, Gennaro teaches a method comprising displaying a toolbar without the user executing a click event, the toolbar displaying at least one user selectable function; and in response to a users selection of a function, calling the selected function [see Figs. 2A-2B and Col. 4, Lines 1-59].

Claim 102 is rejected under the same rationale set forth above to claim 91.

Regarding claim 111, Gennaro teaches a method for providing a page having one or more hyperlinks to a browser comprising receiving a request for the page from the browser, associating at least one function with the page, and transmitting a modified page to the browser, wherein the function is operable to create and manage an interface on a displayed page, and wherein the

interface provides a user of the browser with at least one user selectable function [see Abstract and Figs. 2A-2B and Col. 4, Lines 1-59].

Claim 120 is rejected under the same rationale set forth above to claim 111.

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CAR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 64-90, 92-101, 103-110, 112-119, and 121-126 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gennaro et al (Hereafter, Gennaro), U.S. Pat. No. 5,742,768.

Regarding claim 64, Gennaro teaches a method comprising with a single user action: creating a browser window; and copying a user selected hyperlink into the browser window; and in response to a click event, proximate the user selected hyperlink in the browser window,

displaying a page associated with the user selected hyperlink (i.e., with a user click, a window with menu of selected hyperlinks is created and displayed.) [see Fig. 2B and Col. 4, Lines 16-59]. Gennaro does not explicitly teach a check-it-later browser window. However, check-it-later is merely a name. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to recognize that a variety of names can be generally chosen in association with the type of user selection.

Regarding claims 65-69, Gennaro does not explicitly teach opening a new browser window, creating a clickable item such as label or image. However, the use of options for opening a new window and creating a clickable item is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement icons or buttons displaying a variety of link selections in order to provide a friendly use.

Claims 70-71 are rejected under the same rationale set forth above to claim 64.

Claims 72-77 are rejected under the same rationale set forth above to claims 65-69.

Claim 78 is rejected under the same rationale set forth above to claim 64.

Regarding claims 79-90, Gennaro does not explicitly teach opening a new window-with window minimized, check it later, or anchor current page, creating a clickable item such as label or image. However, the use of options for opening a new window-with window minimized, check it later, or anchor current page, and creating a clickable item is well-known in the art. It

would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement icons or buttons displaying a variety of link selections in order to provide a friendly use.

Regarding claims 92-101, Gennaro does not explicitly teach opening a new browser window, minimizing a new browser window, creating a clickable item such as label or image. However, the use of options for opening a new window, minimizing a window and creating a clickable item is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement icons or buttons displaying a variety of link selections in order to provide a friendly use.

Claims 102-110 are rejected under the same rationale set forth above to claims 92-101.

Regarding claims 112-119, Gennaro does not explicitly teach opening a new browser window, minimizing a new browser window, creating a clickable item such as label or image. However, the use of options for opening a new window, minimizing a window and creating a clickable item is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement icons or buttons displaying a variety of link selections in order to provide a friendly use.

Claims 121-126 are rejected under the same rationale set forth above to claims 112-119.

5. Applicants' arguments with respect to claims 64-126 have been considered but are deemed to be moot in view of the new grounds of rejection.

Other References Cited

6. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

A) Brown et al, U.S. Pat. No. 6,278,448.

B) Bauersfeld, U.S. Pat. No. 5,917,491.

C) Malamud et al, U.S. Pat. No. 5,694,561.

D) Himmel et al, U.S. Pat. No. 6,211,874.

7. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS, OR THIRTY DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 746-7239.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT
Philip B. Tran
Art Unit 2155
Aug 08, 2002

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100